



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

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Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dr. G. A. (Jim) Shirazi, Division Director

0003

January 30, 1984

P396-996-960
CERTIFIED RETURN RECEIPT REQUESTED

Mr. Wendell Owen
Co-op Mining Company
P. O. Box 1245
Huntington, Utah 84528

RE: Abatement Plans to Violation
83-5-8-3, 2 of 3
Bear Canyon Mine
ACT/015/025, Folder No. 3 & 7
Emery County, Utah

Dear Mr. Owen:

Co-op has not adequately addressed the following performance standards and applicable regulations in sufficient detail to allow the Division hydrologist to complete an adequate review of its abatement plans to Violation 83-5-8-3, 2 of 3. Co-op must review and address the following regulations in order to complete their abatement plans.

UMC 784.16 Reclamation Plan: Ponds Impoundments, Banks, Dams and Embankments.

The following sections of this regulation have not been adequately addressed and must be included in the permit application and Co-op's abatement plans:

- (a)(1)(i)(ii) all cross-sections and maps of the sediment pond are not certified by a professional engineer and are not of sufficient detailed design.
- (a)(3)(iii) describe the operation and maintenance requirements for each structure.
- (IV) describe the time table and plans to remove each structure, if appropriate.
- (b)(2)(c) permanent and temporary impoundments shall be designed to comply with the requirements of UMC 817.49. Each plan shall comply with the requirements of the Mine Safety and Health Administration, 30 CFR 77.216-1 and 77.216-2.

UMC 817.46 Hydrologic Balance: Sedimentation Ponds

- (i) An appropriate combination of principal and emergency spillways shall be provided to discharge safely the runoff from a 25-year, 24-hour precipitation event, or larger event specified by the Division, plus any inflow from the underground mine. The elevation of the crest of the emergency spillway shall be a minimum of 1.0 foot above the crest of the principal spillway. Emergency spillway grades and allowable velocities shall be approved by the Division.
- (j) The minimum elevation of the top of the settled embankment shall be 1.0 foot above the water surface in the reservoir with the emergency spillway flowing at design depth. For embankments subject to settlement, this 1.0 foot minimum elevation requirement shall apply at all times, including the period after settlement.
- (k) The constructed height of the dam shall be increased a minimum of 5 percent over the design height to allow for settlement, unless it has been demonstrated to the Division that the material used and the design will ensure
- (l) The minimum top width of the embankment shall not be less than the quotient of $(H+35)/5$, where H, in feet, is the height of the embankment as measured from the upstream toe of the embankment.
- (m) The combined upstream and downstream side slopes of the settled embankment shall not be less than 1v:5h, with neither slope steeper than 1v:2h. Slopes shall be designed to be stable in all cases, even if flatter side slopes are required.
- (n) The embankment foundation area shall be cleared of all organic matter, all surfaces sloped to no steeper than 1v:1h, and the entire foundation surface scarified.
- (o) The fill material shall be free of sod, large roots, other large vegetative matter, and frozen soil. In no case shall coal processing waste be used unless it is non-acid and non-toxic forming and of quality suitable as a construction material for its intended use demonstrated by standard engineering and chemical testing. Non-acid and non-toxic forming coal processing waste used as part of dams and embankments for sedimentation ponds shall be designed and constructed pursuant to UMC 816.91-.93.
- (p) The placing and spreading of fill material shall be started at the lowest point of the foundation. The fill shall be brought up in horizontal layers of such thickness as is required to facilitate compaction and meet the design requirements of this Section. Compaction shall be conducted as specified in the design approved by the Division.

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(r) Each pond shall be designed and inspected during construction under the supervision of, and certified after construction by, a registered professional engineer.

(s) The entire embankment including the surrounding areas disturbed by construction shall be stabilized with respect to erosion by a vegetative cover or other means immediately after the embankment is completed. The active upstream face of the embankment where water is being compounded may be riprapped or otherwise stabilized. Areas in which the vegetation is not successful or where rills and gullies develop shall be repaired and revegetated, in accordance with Section UMC 817.106.

(t) All ponds, including those not meeting the size or other criteria of 30 CFR 77.216(a), shall be examined for structural weakness, erosion, and other hazardous conditions and reports and notifications shall be made to the Division, in accordance with 30 CFR 77.216-3. With approval of the Division, dams not meeting these criteria (30 CFR 77.216(a)) shall be examined four times per year.

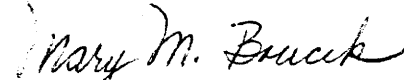
(u) Sedimentation ponds shall not be removed until the disturbed area has been restored and the vegetation requirements of Sections UMC 817.111-817.117 are met and the drainage entering the pond has met the applicable State and Federal water quality requirements for the receiving stream. When the sedimentation pond is removed, the affected land shall be regraded and revegetated in accordance with Sections UMC 817.101-.106, and UMC 817.111-.117, unless the pond has been approved by the Division for retention as compatible with the approved postmining land use under Section UMC 817.133. If the Division approved retention, the sedimentation pond shall meet all the requirements for permanent impoundments of Section UMC 817.49 and 817.56.

These regulations have not been adequately reviewed by the applicant and the information supplied within the permit application or the abatement plans to Violation 83-5-8-3, 2 of 3 are not adequate. The Division has found several letters from Mr. Wimmer to Co-op Mining in the permit application suggesting certain actions to bring the sediment pond into compliance. Until these plans have been formally committed to, the Division can not complete its review of these plans. Co-op Mining must also supply the remainder of the information requested in this letter in order to supply the Division with complete plans and prove compliance to all the appropriate regulations.

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Please include this additional information and also formalize your commitment both in a letter to the Division and for inclusion into the permit application. This must be done immediately.

Sincerely,



Mary Boucek
Permit Supervisor/
Reclamation Biologist

NB/TM:jvb

cc: Jim Smith, DOGM
Joe Helfrich, DOGM
Tom Munson, DOGM
John Whitehead, DOGM